



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.05.2018

CORAM

WEB COPY

THE HON'BLE MR. JUSTICE M.S.RAMESH

W.P.(MD)No.11027 of 2018

S.Santhanaraj

... Petitioner

Vs.

1.The Superintendent of Police,
Tirunelveli District, Tirunelveli.

2.The Inspector of Police,
Thalayuthu Police Station,
Tirunelveli District.

... Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the respondents to grant permission to Villisai Katcheri, Naiyandi Melam, Karakattam, Vana Vedikkagai and lighting and loudspeakers to perform the Kodai Vizha on 28.05.2018 and 29.05.2018 at 07.00 am to 01.00 am respectively in the eve of Arulmigu Sri Utchini Mahali Amman Kovil and Sri Santhanamariamman Kovil at Arunkulam, Tirunelveli District.

For Petitioner : Mr.S.Sundara Pandian
For Respondents : Mr.M.Murugan
Government Advocate

O R D E R

The prayer in this writ petition is to direct the respondents to grant permission to Villisai Katcheri, Naiyandi Melam, Karakattam, Vana Vedikkagai and lighting and loudspeakers to perform the Kodai Vizha on 28.05.2018 and 29.05.2018 at 07.00 am to 01.00 am respectively in the eve of Arulmigu Sri Utchini Mahali Amman Kovil and Sri Santhanamariamman Kovil at Arunkulam, Tirunelveli District.

2.Heard the learned counsel for the petitioner as well as the learned Government Advocate appearing on behalf of the respondents.

3.In an identical matter, a Division Bench of this Court in an order passed in W.P.(MD) No.8975 of 2017 dated 10.05.2017 [M.Sakthi Vs. State rep. by the Inspector of Police, Odapatti Police Station, Odapatti, Theni District], had granted permission to the petitioner to conduct cultural programme on certain conditions. The said conditions read as follows:

"a)The event shall be conducted in an organised and peaceful manner without causing law and order problem.



b) There shall not be any obscene or vulgar scenes during the dance performance by any one of the participants or others.

c) The dance performance shall be restricted between 6.00 p.m. and 11.00 p.m.

d) If there is any violation of the above said conditions, the respondent or the duly authorised officer is entitled to take necessary action as per law and stop such performance.

e) In case if there is any discrepancy with regard to the date on which the program is to be conducted, it would be open to the respondent police to extend protection on some other day after giving due notice to the petitioner"

4. I am of the view that similar conditions may also be imposed in the present writ petition. Consequently, the Writ Petition stands allowed. The second respondent is directed to grant permission to the writ petitioner to conduct the "Kodai Vizha" at "Arulmigu Sri Utchini Mahali Amman Kovil and Sri Santhanamariamman Kovil at Arunkulam, Tirunelveli District, on 28.05.2018 and 29.05.2018 subject to the aforesaid conditions. There shall be no order as to costs.

Sd/-

Vacation Officer.

/True Copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Tirunelveli District, Tirunelveli.

2. The Inspector of Police,
Thalayuthu Police Station,
Tirunelveli District.

+1CC to Mr.S.Sundarapandian, Advocate, SR.No. 65495

+1CC to the Special Government Pleader SR.No.65677

W.P. (MD) .No.11027 of 2018
16.05.2018

das/ns

AM/SKN RSK/SAR 4/23.05.2018/2P/5C